PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of

Olivier MARTINOT, et al.

Appln. No.: 10/825,243

Confirmation No.: 7788

Filed: April 16, 2004

Docket No: Q80984

Group Art Unit: 2477

Examiner: Nima MAHMOUDZADEH

For: A DEVICE FOR MANAGING PARAMETER MEASUREMENT IN END-TO-END TYPE DATA STREAMS IN A MULTIDOMAIN COMMUNICATION NETWORK

SUBMISSION OF APPEAL BRIEF

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith please find an Appeal Brief. The USPTO is directed and authorized to charge the statutory fee of $540.00 and all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: July 29, 2010

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APPEAL BRIEF UNDER 37 C.F.R. § 41.37

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 41.37, Appellant submits the following:

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I. REAL PARTY IN INTEREST

The real party in interest is ALCATEL, the assignee of the present application. The assignment was recorded April 16, 2004, at Reel 015224, Frame 0106.

II. RELATED APPEALS AND INTERFERENCES

Upon information and belief, there are no other prior or pending appeals, interferences or judicial proceedings known to Appellant's Representative or the Assignee that may be related to, be directly affected by, or have a bearing on the Board's decision in the Appeal.

III. STATUS OF CLAIMS

1. Claims 1-18, 20-25, and 27-29 are all the claims pending in this application and were all rejected in the Final Office Action dated September 16, 2009.

2. Claims 19 and 26 are canceled.

3. A Notice of Panel Decision dated June 9, 2010 from the Pre-Appeal Brief Review indicates that claims 9-15 are objected to.

4. Based on an interview with the Examiner conducted May 20, 2010 (see Interview Summary dated May 26, 2010), it is Appellant's understanding that claims 9-15 contain allowable subject matter. Accordingly, claims 9-15 are not on Appeal.

5. Claims 1-8, 16-25, and 27-29 are subject to this Appeal.

IV. STATUS OF AMENDMENTS

Amendment subsequent to Final Rejection was submitted on November 13, 2009. As indicated in the Advisory Action dated February 23, 2010, the Amendment after Final Rejection was not entered because the Examiner withdrew previous rejection of claims 8-10 under 35 U.S.C. § 112. (*See* Advisory Action, page 2, lines 1-3).

Thus, the claims stand as presented prior to the Final Office Action dated September 16, 2009.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Independent claim 1 is directed to a device (D) for managing measurement of parameters of end-to-end type data streams (F1, F2) in a communication network (N) composed of at least two domains (A1, A2, A3, A4) coupled together (R1, R2, R3, R4, R5, R6, R7), and each equipped with a measuring appliance (M1, M2, M3, M4) to deliver local measurements representing parameter values of local end-to-end data streams (F11, F12, F13, F21, F22, F23). The measuring appliances (M1, M2, M3, M4) implement various measuring processes. The device (D) includes: monitoring means (MM) for ordering constitution of a specific measurement configuration in each measuring appliance (M1, M2, M3, M4) as a function of at least a corresponding measuring process of a respective measuring appliance (M1, M2, M3, M4) and overall measurement specifications, and calculation means (CM) for determining first data representative of the parameter values of overall end-to-end data streams (F1, F2) from local measurements delivered by the configured measuring appliances (M1, M2, M3, M4). (Figure; page 3, lines 15-35, page 6, line 6 - page 7, line 17, lines 25-34, page 8, lines 7-11, 28-34, page 9, lines 1-6, 10-23).

Dependent claim 2 is directed to the monitoring means (MM) which orders the constitution of the specific measurement configuration in each measuring appliance (M1, M2, M3, M4) as a function of the corresponding measuring process, second data representing an arrangement of the respective associated domain (A1, A2, A3, A4), and overall measurement specifications which describe the measurement parameters of the overall end-to-end data streams (F1, F2). (Page 5, lines 10-13, page 9, lines 1-6, 10-23).

Dependent claim 8 is directed to at least one domain (A1, A2, A3, A4) including a measuring appliance (M1, M2, M3, M4) which implements the measuring process based on a measurement model of a respective domain (A1, A2, A3, A4) and local end-to-end data streams (F11, F12, F13, F21, F22, F23) traversing the respective domain (A1, A2, A3, A4). The device

(D) further includes a third memory (B3) which stores data representing the measurement model. (Page 3, lines 8-14, page 7, lines 2-10, page 9, line 30 - page 10, line 4).

Dependent claim 28 is directed to a first measuring appliance (M1) associated with a first network domain (A1) and executing a first measuring process to collect the local measurements of a first local end-to-end data stream (F11, F12) which traverses the first network domain (A1); a second measuring appliance (M2) associated with a second network domain (A2), coupled with the first network domain (A1), which second measuring appliance (M2) executes a second measuring process to collect the local measurements of a second local end-to-end data stream (F12) which traverses the second network domain (A2); and a third measuring appliance (M4) associated with a third network domain (A4), coupled with the second network domain (A2), which third measuring appliance (M4) executes a third measuring process to collect the local measurements of a third local end-to-end data stream (F13, F23) which traverses the third network domain (A4). Each first, second and third measuring process differs from other measuring processes being executed to include one of a passive measuring process, which collects information of each type of a data stream and of each packet of the data stream, an active measuring process, which collects information on a periodic basis, or a measuring process based on a measurement model generated in advance for a corresponding network domain. (Page 2, line 30 - page 3, line 14, page 6, line 35 - page 7, line 19, lines 24-34, page 8, lines 7-11).

Independent claim 29 is directed to a multi-domain management device (D). A monitoring module (MM) generates and initiates a measurement configuration for measuring appliances (M1, M2, M3, M4) executing various measuring processes and being associated with corresponding domains (A1, A2, A3, A4) of a network (N). The domains (A1, A2, A3, A4) are coupled (R1, R2, R3, R4, R5, R6, R7) to one another and facilitate a passage for an overall end-to-end data streams (F1, F2). The monitoring module (MM) generates and initiates the measurement configuration for measuring appliances (M1, M2, M3, M4) as a function of at least a corresponding measuring process of the measuring appliance (M1, M2, M3, M4) and overall

measurement specifications of the network (N). Each configuration module (IM1, IM2, IM3, IM4) is coupled to the measuring appliances (M1, M2, M3, M4) executing an alike measuring process, and configures each measuring appliance (M1, M2, M3, M4) based on the generated measurement configuration so that the configured measuring appliances (M1, M2, M3, M4) deliver local measurements representing parameter values of corresponding local end-to-end data streams (F11, F12, F13, F21, F22, F23), which each traverses the associated network domain (A1, A2, A3, A4), based on the corresponding measuring processes. Calculation means (CM) is coupled to the configuration modules (IM1, IM2, IM3, IM4) and determines data representative of parameters values of the overall end-to-end data streams (F1, F2) based on the delivered local measurements of the local end-to-end data streams (F11, F12, F13, F21, F22, F23). (Figure; page 3, lines 15-35, page 5, lines 22-26, page 6, line 6, line 6 - page 7, line 17, lines 25-34, page 8, lines 7-11, 28-34, page 9, lines 1-6, 10-23, page 10, line 15 - page 11, line 18).

Although the above summary refers to portions of the specification, these references are not meant to be limiting in nature, but rather to provide examples from the described exemplary embodiments.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. **Claims 1-8, 16-18, 20-22, 25, 28, and 29** are rejected under 35 U.S.C. § 103(a) as being unpatentable over Iwama (U.S. Patent No. 6,600,735) in view of Gous (U.S. Patent Application Publication No. 2002/0194316).

2. **Claims 23 and 24** are rejected under 35 U.S.C. § 103(a) as being unpatentable over Iwama, Gous, and Maher (U.S. Patent No. 5,381,403).

3. **Claim 27** is rejected under 35 U.S.C. § 103(a) as being unpatentable over Iwama, Gous, and Muirhead (U.S. Patent Application Publication No. 2003/0123446).

VII. ARGUMENT

1. Claims 1-8, 16-18, 20-22, 25, 28, and 29 are not unpatentable over Iwama and Gous

For the grounds of rejection applied to claims 1 and 29, the claims do not stand or fall together. Rather, the claims should be considered as separately patentable as outlined below.

A combination of Iwama and Gous do not teach all of the features of claim 1

Claim 1 recites among other elements: "monitoring means for ordering constitution of a specific measurement configuration in each measuring appliance as a function of at least a corresponding measuring process of a respective measuring appliance and overall measurement specifications, and calculation means for determining first data representative of the parameter values of overall end-to-end data streams from local measurements delivered by the said configured measuring appliances."

The Examiner relies on Gous to teach (1) monitoring means for ordering constitution of a specific measurement configuration in each measuring appliance as a function of a corresponding measuring process of a respective measuring appliance and overall measurement specifications; and (2) calculation means for determining first data representative of the parameter values of overall end-to-end data streams from local measurements delivered by the configured measuring appliances. (*See* Final Office Action, page 5, paragraphs 2 and 3).

Gous does not teach or suggest ordering constitution of a specific measurement configuration in each measuring appliance as a function of a corresponding measuring process of a respective measuring appliance and overall measurement specifications

The Examiner asserts that the claimed "ordering constitution of a specific measurement configuration in each measuring appliance" is taught by Gous in paragraphs 41 and 42 and FIG. 1 by element 30 performing the bandwidth allocation function. (*See* Final Office Action, page 5, paragraph 2).

Gous describes a changeover sequence creation module 30 which constructs a collection of routing/admission data structures 36 and calculates a bandwidth/allocation matrix 54 for each

routing/admission data structure which define connections for each node and a maximum bandwidth level attributed to each connection at each stage of changeover. (Paragraphs 40, 41, FIG. 3). The bandwidth/allocation matrix 54 is generated based on the routing/admission structure 36 and represents total bandwidth allocated to each node or link received by summation. If a connection does not go through the element, the bandwidth is 0. If a connection goes through the element, the allocated bandwidth is the maximum bandwidth. (Paragraph 42).

Thus, Gous teaches constitution of a desired connection configuration by changing the configuration information maintained at the nodes. Such configuration relates to configuring connections between the nodes.

However, Gous does not teach or suggest constitution of the specific measurement configuration based on a specific measuring process of a corresponding node and overall measurement specifications. The bandwidth matrix of Gous is to allocate the maximum bandwidth usage of a node based on the available operational bandwidth. The bandwidth matrix of Gous is not the same as or an equivalent of a specific measurement configuration. Additionally, the bandwidth matrix of Gous is not created as a function of the measuring process of the alleged measuring appliance (the node). Nor it is a function of the measuring process and overall measurement specifications.

Gous does not teach or suggest determining data representative of the parameter values of overall end-to-end data streams from local measurements delivered by the configured measuring appliances

The Examiner asserts that the claimed "determining data representative of the parameter values of overall end-to-end data streams from local measurements delivered by the configured measuring appliances" is taught by Gous by sending the configuration changeover instructions to the nodes and receiving back acknowledgement messages to confirm the successful execution of the instructions sent to the nodes. The Examiner asserts the acknowledgments allow the module 32 to determine that the instructions were successfully executed. (*See* Final Office Action, page 5, paragraph 4, and page 24, paragraph 1; Advisory Action, page 2).

Gous teaches converting the changeover sequence into instructions that are communicated to the nodes. The module 32 receives acknowledgments from the nodes which have successfully executed the received instructions. (Paragraph 35).

However, Gous does not teach or suggest determining, by the calculation means, the data representative of the parameter values of overall end-to-end data streams, from the local measurements which are delivered to the calculation means. The acknowledgement message is not the same as or an equivalent of the local measurements which are performed by the measuring appliances.

The Examiner contends that Iwama's element 1705 teaches the measuring appliance. (*See* Final Office Action, page 4, paragraph 3).

Iwama describes element 1705 which enforces the bandwidth reservation and cancellation. (FIG. 8, col. 13, lines 1-3).

However, Iwama does not teach or suggest that element 1705 executes a measuring process to collect and deliver the local measurements of a local end-to-end data stream, as claimed. Further, even if element 1705 is the measuring appliance, claim 1 recites a measuring appliance in each domain and implementing various measuring processes.

Even if Iwama is combined with Gous, as proposed by the Examiner, a proposed combination will not achieve the subject matter of claim 1. Thus, one skilled in the art would not have had teaching, suggestion or motivation to modify or combine Iwama and Gous to arrive at the subject matter of claim 1.

Accordingly, Appellant respectfully submits that neither Iwama, nor Gous, taken singularly or in combination, teaches or suggests at least "monitoring means for ordering constitution of a specific measurement configuration in each measuring appliance as a function of ... a corresponding measuring process of a respective measuring appliance and overall measurement specifications, and calculation means for determining first data representative of parameter values of overall end-to-end data streams from local measurements delivered by the said configured measuring appliances," and also there is no teaching, suggestion, or motivation to modify or combine Iwama and Gous.

It is, therefore, respectfully submitted that **claim 1 and dependent claims 2-8, 16-18, 20-22, 25, and 28** distinguish patentably and unobviously over Iwama and Gous.

Dependent claim 2

Claim 2 recites among other elements: "said monitoring means is arranged to order the constitution of the specific measurement configuration in each measuring appliance as a function of the corresponding measuring process, second data representing an arrangement of the respective associated domain, and overall measurement specifications."

The Examiner asserts that Iwama teaches "second data representing an arrangement of the respective associated domain" by disclosing "information provided to Bandwidth Controller regarding some elements of each zone, first and second" in claim 1. (*See* Final Office Action, page 6, paragraph 3).

Appellant reviewed claim 1 of Iwama as well as the reminder of Iwama's disclosure. As a result, Appellant respectfully submits that Iwama does not teach "said monitoring means is arranged to order the constitution of the specific measurement configuration in each measuring appliance as a function of ... second data representing an arrangement of the respective associated domain."

Gous does not compensate for any of the above-discussed deficiency of Iwama.

Accordingly, Appellant respectfully submits that a proposed combination of Iwama and Gous does not teach or suggest at least "said monitoring means is arranged to order the constitution of the specific measurement configuration in each measuring appliance as a function of the corresponding measuring process, second data representing an arrangement of the respective associated domain, and overall measurement specifications."

It is, therefore, respectfully submitted that **claim 2** distinguishes patentably and unobviously over Iwama and Gous, taken singularly or in combination.

Dependent claim 8

Claim 8 recites among other elements: "a measuring appliance which implements the measuring process based on a measurement model of a respective domain and local end-to-end data streams traversing the respective domain."

The Examiner appears to assert that table 56 of Gous teaches the claimed measurement model. (*See* Final Office Action, page 9, paragraph 4).

But, the Examiner also asserts that table 56 teaches the local measurement specifications recited in claims 4 and 5. (*See* Final Office Action, page 7, paragraph 4, page 8, paragraph 1).

Appellant respectfully submits that double counting of elements is improper to support the rejection. Additionally, Appellant reviewed Gous's disclosure and finds no teaching of "a measuring appliance which implements the measuring process based on a measurement model of a respective domain and local end-to-end data streams traversing the respective domain."

Iwama does not compensate for any of the above-discussed deficiency of Gous.

It is, therefore, respectfully submitted that **claim 8** distinguishes patentably and unobviously over Iwama and Gous, taken singularly or in combination.

Dependent claim 16

Claim 16 recites among other elements: "an auxiliary calculation module to determine second data representing respective contributions of the coupled domains to the first data, from the local measurements delivered by said configured measuring appliances and said local measurement specifications."

The Examiner asserts that Gous teaches the above-recited feature of claim 16 in paragraphs 40 and 41 and FIG. 2. (*See* Final Office Action, page 13, paragraph 3).

However, the Examiner does not provide any reasoning supporting his position in rejecting claim 16. Such rejection is improper.

Additionally, Appellant reviewed Gous's disclosure and finds no teaching of "an auxiliary calculation module to determine second data representing respective contributions of

the coupled domains to the first data, from the local measurements delivered by said configured measuring appliances and said local measurement specifications."

Iwama does not compensate for any of the above-discussed deficiency of Gous.

It is, therefore, respectfully submitted that **claim 16** distinguishes patentably and unobviously over Iwama and Gous, taken singularly or in combination.

Dependent claim 28

Claim 28 recites among other elements: "each first, second and third measuring process differs from other measuring processes being executed and includes one of: a passive measuring process which collects information of each type of a data stream and of each packet of the data stream, an active measuring process which collects information on a periodic basis, or a measuring process based on a measurement model generated in advance for a corresponding network domain."

The Examiner contends that Iwama's elements 1705, 1709, and 1710 teach the first, second, and third measuring appliances. The Examiner states that element 1709 can be interpreted as measuring and collecting data, and element 1710 is considered a passive device. (*See* Final Office Action, page 16, paragraph 3 - page 18, paragraph 2; page 25, paragraph 1).

Iwama describes element 1705 which enforces the bandwidth reservation, cancellation, and change; element 1709 which implements buffering and distribution of transmission/reception signals and controls the lines and bandwidths; and element 1710 which converts speech packets transmitted/received via Internet. (FIG. 8, col. 12, lines 28-32 and 45-48, col. 13, lines 1-3).

However, Iwama does not teach or suggest that any of elements 1705, 1709, or 1710 executes its own measuring process to collect the local measurements of a local end-to-end data stream traversing a corresponding domain, as claimed.

As described by Iwama, each element 1705, 1709, and 1710 performs a different function within the same gateway, e.g., each element performs its own function within the gateway. For example, Iwama only describes converting speech data by element 1710. Iwama does not describe that element 1710 performs passive measurements. Likewise, Iwama describes

buffering and distribution of transmission/reception signals and controlling the lines and bandwidths by element 1709. Iwama does not describe that element 1709 performs any data collection or measurement. Performing a function is not the same or an equivalent of performing a measuring process.

Furthermore, even if element 1710 is the passive device (as asserted by the Examiner), claim 28 recites that each measuring appliance performs its own different measuring process. Accordingly, each measuring appliance performs a different one of a passive measuring process, an active measuring process, or a measuring process based on a measurement model.

Iwama does not teach or suggest executing a different one of "a passive measuring process ..., an active measuring process ..., or a measuring process based on a measurement model" by each of elements 1705, 1709, and 1710 (alleged measuring appliances).

Additionally, Iwama does not teach or suggest that each alleged measuring appliance 1705, 1709, 1710 is associated with its own domain to collect the local measurements of a local end-to-end data stream which traverses its own domain.

Accordingly, Appellant respectfully submits that neither Iwama, nor Gous, taken singularly or in combination, teaches or suggests at least "each first, second and third measuring process differs from other measuring processes being executed and includes one of: a passive measuring process which collects information of each type of a data stream and of each packet of the data stream, an active measuring process which collects information on a periodic basis, or a measuring process based on a measurement model generated in advance for a corresponding network domain."

It is, therefore, respectfully submitted that **claim 28** distinguishes patentably and unobviously over Iwama and Gous, taken singularly or in combination.

Claim 29 recites features similar to those discussed above regarding claim 1. Therefore, arguments presented above regarding claim 1 are respectfully submitted to apply with equal force here.

Additionally, claim 29 recites: "a monitoring module to generate and initiate a measurement configuration for measuring appliances executing various measuring processes and being associated with corresponding domains of a network ...; configuration modules, each coupled to the measuring appliances executing an alike measuring process, to configure each measuring appliance..."

The Examiner contends that (1) "a monitoring module to generate and initiate a measurement configuration for measuring appliances executing various measuring processes and being associated with corresponding domains of a network" is taught by element 30 of Gous, by performing the bandwidth allocation; and (2) "configuration modules, each coupled to the measuring appliances executing an alike measuring process, to configure each measuring appliance" is also taught by element 30 (with all the modules inside it) of Gous, by coupling element 30 to all of the nodes. (*See* Final Office Action, page 19, paragraphs 3 and 4).

Initially, double counting of element 30 is improper. Further, modules 34, 54, and 56 disposed inside element 30 are not the same as or an equivalent of the modules which each is coupled to the measuring appliances executing an alike measuring process, from the appliances executing various measuring processes, as recited in claim 29. Even if Gous might be teaching the nodes executing a measuring process, Gous does not teach or suggest executing various measuring processes.

Additionally, as seen in FIG. 1 of Gous, element 30 is coupled to the alleged calculations (element 32) and not to the alleged measuring appliances.

Therefore, it is respectfully submitted that **claim 29** distinguishes patentably and unobviously over Iwama and Gous, taken singularly or in combination.

2. Claims 23 and 24 are not unpatentable over Iwama, Gous, and Maher

Claims 23 and 24 depend on claim 1. Iwama and Gous do not meet all of the features of independent claim 1. Maher does not compensate for the above-identified deficiencies of these references. It is, therefore, respectfully submitted that **claims 23 and 24** are patentable at least by virtue of their dependencies.

3. Claim 27 is not unpatentable over Iwama, Gous, and Muirhead

Claim 27 depends on claim 1. Iwama and Gous do not meet all of the features of independent claim 1. Muirhead does not compensate for the above-identified deficiencies of these references. It is, therefore, respectfully submitted that **claim 27** is patentable at least by virtue of its dependency.

CONCLUSION

In view of the foregoing, Appellant respectfully requests the Board reverse the rejections of **claims 1-8, 16-18, 20-25, and 27-29**.

The USPTO is directed and authorized to charge the statutory fee (37 C.F.R. §41.37(a) and 1.17(c)) and all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to the Deposit Account.

Respectfully submitted,

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Date: July 29, 2010

CLAIMS APPENDIX

CLAIMS 1-8, 16-25, and 27-29 ON APPEAL:

1. A device for managing measurement of parameters of end-to-end type data streams in a communication network composed of at least two domains coupled together, and each equipped with a measuring appliance to deliver local measurements representing parameter values of local end-to-end data streams, which said measuring appliances implement various measuring processes, the device comprising:

monitoring means for ordering constitution of a specific measurement configuration in each measuring appliance as a function of at least a corresponding measuring process of a respective measuring appliance and overall measurement specifications, and

calculation means for determining first data representative of the parameter values of overall end-to-end data streams from local measurements delivered by the said configured measuring appliances.

2. The device as in claim 1, wherein said monitoring means is arranged to order the constitution of the specific measurement configuration in each measuring appliance as a function of the corresponding measuring process, second data representing an arrangement of the respective associated domain, and overall measurement specifications which describe the measurement parameters of the overall end-to-end data streams.

3. The device as in claim 1, wherein said monitoring means includes:

an interface means for defining said overall measurement specifications which describe the measurement parameters of the overall end-to-end data streams.

4. The device as in claim 1, wherein said monitoring means includes:

configuration means for determining a configuration data for each measuring appliance, including determining local specifications of measurement parameters, and defining the specific measurement configuration of each measuring appliance based on the determined local measurement specifications.

5. The device as in claim 4, wherein said configuration means is arranged to further determine the configuration data by determining data representing a correspondence between said determined local measurement specifications and said overall measurement specifications which describe the measurement parameters of the overall end-to-end data streams.

6. The device as in claim 5, further including:

a first memory which stores data representing said overall measurement specifications.

7. The device as in claim 6, further including:

a second memory which stores data representing at least one of said local measurement specifications and said configuration data.

8. The device as in claim 7, wherein at least one domain includes a measuring appliance which implements the measuring process based on a measurement model of a respective domain and local end-to-end data streams traversing the respective domain, the device further including:

a third memory which stores data representing said measurement model.

16. The device as in claim 4, wherein said calculation means includes an auxiliary calculation module to determine second data representing respective contributions of the coupled domains to the first data, from the local measurements delivered by said configured measuring appliances and said local measurement specifications.

17. The device as in claim 16, wherein said auxiliary calculation module determines the second data representing at least one of relative contributions or absolute contributions.

18. The device as in claim 16, further including:

a memory which stores at least one of said first or second data.

20. The device as in claim 16, further including:

an output interface coupled to said calculation means to deliver at least one of said first or second data at an output when so ordered.

21. The device as in claim 18, further including:

an output interface to extract at least one of the said first or second data from the memory at an output when ordered to do so.

22. The device as in claim 20, further including:

a management information database to receive at least one of the first or the second data from said output interface.

23. The device as in claim 1, further including:

a configuration interface which includes:

interface modules, each dedicated to a corresponding specific measuring process, coupled to said monitoring means, said measuring appliances, which execute the corresponding specific measuring process, and said calculation means and arranged to configure the corresponding measuring appliance, collect the local measurements from each corresponding measuring appliance, and supply the collected local measurements to said calculation means.

24. The device as in claim 23, wherein at least one of said interface modules includes:

an external measuring appliance for one of the coupled domains of said communication network.

25. A communication network which includes at least two domains coupled together and each including a measuring appliance to deliver corresponding local measurements representing the parameters values of the local end-to-end data streams, wherein said measuring appliances implement different measuring processes, and further including at least one managing device of claim 1.

27. The network as in claim 25 comprised of one of:

a transmission network including at least one of a WDM, a SONET or an SDH network,

a data network including at least one of an IP-Internet or an ATM, network, and

a speech network including at least one of a conventional, a mobile or a NGN network.

28. The device as in claim 1, wherein the measuring appliances comprise:

a first measuring appliance associated with a first network domain and executing a first measuring process to collect the local measurements of a first local end-to-end data stream which traverses the first network domain;

a second measuring appliance associated with a second network domain, coupled with the first network domain, which second measuring appliance executes a second measuring process to collect the local measurements of a second local end-to-end data stream which traverses the second network domain; and

a third measuring appliance associated with a third network domain, coupled with the second network domain, which third measuring appliance executes a third measuring process to collect the local measurements of a third local end-to-end data stream which traverses the third network domain,

wherein each first, second and third measuring process differs from other measuring processes being executed and includes one of:

a passive measuring process which collects information of each type of a data stream and of each packet of the data stream,

an active measuring process which collects information on a periodic basis, or

a measuring process based on a measurement model generated in advance for a corresponding network domain.

29. A multi-domain management device, comprising:

a monitoring module to generate and initiate a measurement configuration for measuring appliances executing various measuring processes and being associated with corresponding domains of a network, which domains are coupled to one another and facilitate a passage for an overall end-to-end data streams, as a function of at least a corresponding measuring process of the measuring appliance and overall measurement specifications of the network;

configuration modules, each coupled to the measuring appliances executing an alike measuring process, to configure each measuring appliance based on the generated measurement configuration so that the configured measuring appliances deliver local measurements representing parameter values of corresponding local end-to-end data streams, which each traverses the associated network domain, based on the corresponding measuring processes; and

calculation means, coupled to the configuration modules, for determining data representative of parameters values of the overall end-to-end data streams based the delivered local measurements of the local end-to-end data streams.

EVIDENCE APPENDIX:

Pursuant to 37 C.F.R. § 41.37(c)(1)(ix), submitted herewith are copies of any evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 or any other evidence entered by the Examiner and relied upon by Appellant in the appeal.

NONE

RELATED PROCEEDINGS APPENDIX

Submitted herewith are copies of decisions rendered by a court or the Board in any proceeding identified about in Section II pursuant to 37 C.F.R. § 41.37(c)(1)(ii).

NONE